



PUBLIC NOTICE

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DIRS REPORTING DATA TO BE SHARED WITH FEDERAL ESF 2 AGENCIES

Washington, DC – On September 11, 2007, the Public Safety and Homeland Security Bureau (PSHSB) of the Federal Communications Commission (Commission) launched the Disaster Information Reporting System (DIRS), a voluntary, efficient, web-based system that communications companies, including wireless, wireline, broadcast, and cable providers, can use to report communications infrastructure status and situational awareness information during times of crisis. In the event of a DIRS activation, participating communications providers that serve areas affected by a disaster voluntarily submit information regarding, *inter alia*, the status of their communications equipment, restoration efforts, power (*i.e.*, whether they are using commercial power, generator or battery), and access to fuel. The Commission then compiles this data into reports which it shares with the National Communications System (NCS) in support of NCS's role as the primary agency for Emergency Support Function-2 (ESF-2) (Communications) of the National Response Framework. Because the information that communications companies input into DIRS is sensitive, for national security and/or commercial reasons, DIRS filings are non-public, and are considered presumptively confidential upon filing.¹

DIRS has had its initial activations during this 2008 hurricane season, first in response to Tropical Storm Fay, and then in response to Hurricane Gustav. In both cases, the information collected by DIRS was of significant value. It has become evident that sharing the data with other Federal government agencies involved in ESF-2 functions directly would enhance the value of DIRS by streamlining the reporting process and facilitating the accurate assessment of any damage to carrier infrastructure and the rapid restoration of that infrastructure. Accordingly, in future DIRS activations, the FCC will share DIRS data with NCS as well as with other Federal agencies authorized to participate in ESF-2 activities. The distribution of DIRS data to Federal agencies involved in ESF-2 does not alter the presumptively confidential nature of DIRS filings. DIRS data will remain non-public, and any Federal agency to which DIRS data is distributed must, under Federal law respect the confidential nature of DIRS filings.²

¹ As we have stated previously, DIRS filings voluntarily report weaknesses in and damage to the national communications infrastructure. The release of this sensitive information to the public could potentially facilitate terrorist targeting of critical infrastructure and key resources. Further, the DIRS filings contain internal confidential information that constitutes trade secrets and commercial or financial information. Public availability of these reports, which contain information the filers themselves do not routinely make public, could competitively harm the filers by revealing information about the types and deployment of their equipment and the traffic that flows across their networks. "The FCC's Public Safety & Homeland Security Bureau Launches Disaster Information Reporting System (DIRS), *Public Notice*, 22 FCC Rcd 16757 (PSHSB 2007).

² 44 U.S.C. § 3510.

The Commission's decision to enhance the value of DIRS by expanding its reach to all Federal government agencies on the ESF-2 team is a further example of the Commission's commitment to promoting the safety of life and property through the use of wire and radio communication, as required by the Communications Act of 1934, as amended,³ as well as to ensuring the continued effectiveness ESF-2 and the National Response Framework.

For further information, please contact Jeffery Goldthorp of the PSHSB's Communications Systems Analysis Division at (202) 418-1096 or Jeffery.Goldthorp@fcc.gov.

³ 47 U.S.C. §§ 151 et seq.